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2 Nevada Bar No. 11084

3 **CLARK NEWBERRY LAW FIRM**

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10 **UNITED STATES DISTRICT COURT**
 11 **DISTRICT OF NEVADA**

12 COLLEGIUM FUND LLC SERIES #51, a)
 13 Nevada limited liability company,)

14 Plaintiff,)

15 vs.)

16 BANK OF AMERICA, N.A.;)
 17 CARRINGTON MORTGAGE SERVICES;)
 18 MTC FINANCIAL INC., DBA TRUSTEE)
 19 CORPS; DOE individuals I through XX; and)
 20 ROE CORPORATIONS I through XX,)

21 Defendants.)

22 CASE NO.: 2:22-CV-00907-RFB-EJY

23 **STIPULATION AND ORDER TO**
 24 **POSTPONE FORECLOSURE SALE**
 25 **PENDING MOTION FOR**
 26 **TEMPORARY RESTRAINING**
 27 **ORDER**

28 On May 11, 2022, Collegium Fund LLC Series #51 (“Collegium #51”) filed a Complaint in the Eighth Judicial District Court, Case No. A-22-852435-C, against Defendants, Bank of America, N.A. (“BANA”), and Carrington Mortgage Services, LLC (“Carrington”). On May 12, 2022, Collegium #51 filed an Ex Parte Motion for Temporary Restraining Order and Preliminary Injunction to Enjoin Foreclosure Sale to be held on June 14, 2022. On May 16, 2022, the Court entered an Order Setting Hearing of Ex Parte Motion for Preliminary Injunction and Temporary Restraining Order which ordered that any opposition to the motion for preliminary injunction shall be filed and served by May 31, 2022. No opposition was filed.

On June 6, 2022, BANA and Carrington filed a Notice of Removal to Federal Court Based on

Diversity Jurisdiction in the United States District Court, District of Nevada, Case no. 2:22-cv-00907.

The Parties hereby stipulate and agree as follows:

1. BANA and Carrington shall postpone the Trustee's Sale for the Subject Property located at **9266 Aspen Shadow Street, Las Vegas, NV 89178, APN: 176-21-211-002**, to allow the Parties to brief Collegium #51's motion for preliminary injunction in its normal course.

2. Collegium #51 shall file its Motion for Preliminary Injunction on or before June 30, 2022.

3. BANA and Carrington shall file its responsive pleading to the Complaint on or before June 30, 2022.

DATED this 7th day of June, 2022

CLARK NEWBERRY LAW FIRM

/s/ Aimee Clark Newberry
AIMEE CLARK NEWBERRY, ESQ.
Nevada Bar No. 11084
410 S. Rampart Blvd., Suite 390
Las Vegas, Nevada 89145
Attorney for Collegium Fund LLC Series #51

DATED this 8th day of June, 2022

**TROUTMAN PEPPER HAMILTON SANDERS
LLP**

/s/ Brody R. Wight
BRODY R. WIGHT, ESQ.
Nevada Bar No. 13615
8985 S. Eastern Ave., Ste. 200, Las Vegas,
NV 89123 (*Nevada Office*)
600 Peachtree St. NE #3000, Atlanta, GA
30308 (*Corporate Office*)
*Attorney for Defendants Bank of America,
N.A. and Carrington Mortgage Services, LLC*

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1 IT IS HEREBY ORDERED that BANA and Carrington shall postpone the Trustee's Sale for
2 the Subject Property located at **9266 Aspen Shadow Street, Las Vegas, NV 89178, APN: 176-21-**
3 **211-002**, until after the hearing on Collegium #51's Motion for Preliminary Injunction.

4 **Collegium #51**

5 IT IS FURTHER HEREBY ORDERED that ~~Valencia~~ shall file its Motion for Preliminary
6 Injunction on or before June 30, 2022.

BANA and Carrington

7 IT IS FURTHER HEREBY ORDERED that ~~Shellpoint~~ shall file its responsive pleading to the
8 Complaint on or before June 30, 2022.

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10 
11 UNITED STATES MAGISTRATE JUDGE

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13 Dated: June 8, 2022

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15 Submitted by:

16 CLARK NEWBERRY LAW FIRM

17 /s/ Aimee Clark Newberry
18 Aimee Clark Newberry, Esq.
19 Nevada Bar No. 11084
20 410 S. Rampart Blvd., Suite 390
21 Las Vegas, NV 89145
22 *Attorney for Plaintiff Collegium Fund LLC Series #51*
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